

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
APRIL 16, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Luis G. Sariñana and Anthony Cobos. Absent: None. **Late arrivals: Daniel Power and Paul J. Escobar.** Meeting was called to order and the invocation was given by Pastor Rafael Ramirez, Ministerios Zion, followed by the Pledge of Allegiance to the Flag of the United States of America.

- Mayor's Presentations
1. Clean Your Files Weeks - April 15-26
 2. National Library Week - April 14-20
 3. Administrative Professional Week - April 21-27
 4. Child Abuse Prevention and Awareness Month - April
 5. 21 Certificates of Achievement

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to accept, on behalf of the City of El Paso, the following gifts identified further in Exhibit A:

1. One (1) acrylic on paper by Fritz Scholder entitled *White Woman*.

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

Representative Escobar was not present for the vote.

Motion made by Representative Medina, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

*Motion made, seconded and unanimously carried to approve the Minutes for Special City Council Meeting(s) - Budget Hearings of July 11, 2001, July 12, 2001, July 13, 2001, July 18, 2001, July 19, 2001, July 20, 2001, July 25, 2001, July 26, 2001, July 27, 2001, August 1, 2001, August 2, 2001, August 3, 2001 and August 13, 2001 and Regular City Council Minutes for January 14, 2002, February 26, 2002, March 12, 2002 and March 19, 2002.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following

RESOLUTION

WHEREAS, the Third Annual El Paso Heritage Week Festival will take place April 27 through May 5, 2002; and

WHEREAS, the vision of the Festival is to develop El Paso economically by uniting in expression of its human diversity; and

WHEREAS, the mission of the Festival is to showcase the City's rich historical, artistic, and cultural heritage in an annual, community-wide, week-long celebration involving volunteers, civic groups, and public institutions; and

WHEREAS, the purpose of the El Paso Heritage Week Festival:

- Promotes the Local Tourism Industry
- Develops City-Pride
- Showcases the Unique Character of El Paso
- Highlights the Arts, Culture, and History of El Paso to the City and Region
- Fosters an Appreciation for Diversity
- Encourages a Focus on Quality of Life Possibilities Especially as it Relates to a Renewed Downtown
- Creates a Framework Example of Community Networking
- And, Experiential Learning, Family Fun and Great Values that can be enjoyed by all families

WHEREAS, the 3rd Annual Heritage Downtown Festival on Cinco de Mayo will take place on May 4, 2002. The Festival aims to create a vibrant downtown available to everyone. It is an opportunity for all to enjoy art, music, ethnic diversity, education, historical reenactments, and walking tours in an atmosphere of goodwill and public service by combining the efforts of hundreds of volunteers from throughout El Paso.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor and City Council support and encourage that El Pasoans attend the annual El Paso Heritage Week Festival.

Representative Power questioned Ms. Rita Rodriguez, City Attorney, whether it was permissible to use public buildings to post advertising and utilizing City owned billboards to post the announcement.

Ms. Rodriguez explained no and remarked that the Resolution gives the City Council's support and encourages citizens to attend the event. She did note that there were legal issues surrounding the posting on areas in public buildings that were not a public forum. She stated that the City would be required to enter into a contract with billboard agencies for that type of posting.

Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign contracts for the following artists to perform as part of the Arts Resources Department's collaboration with The Hispanic Culture Institute's First Annual Cinco de Mayo International Mariachi, Dance, and Art Festival. This event will be held on May 4, 2002, at the Convention Center outdoor plaza and the Visual Arts Exhibit areas.

1. Latin Connection; one performance from 12 p.m. to 1 p.m., at \$250.00.
2. Mariachi Las Caponeras; one performance from 1 p.m. to 2 p.m., at \$250.00.
3. Ceiba, one performance from 2 p.m. to 3 p.m., at \$250.00.
4. Mariachi Cuauhtemoc, one performance from 3 p.m. to 4 p.m., at \$250.00.
5. Marimba El Paso; one performance from 4 p.m. to 5 p.m., at \$300.00.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign contracts for the following artists to perform at the 3rd Annual Walk For the Arts Fund Raiser scheduled for May 11, 2002, at the Chamizal National Memorial Park, as recommended by the Arts Resources Department's Staff.

1. Mark Alvillar; one- performance at \$120.00.
2. Serene Bartoletti; one performance at \$120.00.
3. David Dennis; one performance at \$120.00.
4. Thomas J. Fraga; one performance at \$120.00.
5. Raul Garcia; one performance at \$120.00.
6. Nancy Green; one performance at \$200.00.
7. Dan Lambert; one performance at \$200.00.
8. Robert McMinn; one performance at \$120.00.
9. James Olivas; one performance at \$120.00
10. Cecilio Ortiz; one performance at \$120.00.
11. Ana Lisa Portillo; one performance at \$120.00.
12. Arturo Quezada; one performance at \$120.00.
13. Cesar Ivan Quinonez; one performance at \$120.00.
14. Thelma Rodriguez; one performance at \$120.00.
15. Stefan Schyga; one performance at \$200.00.
16. Karuna Warren; one performance at \$120.00.

***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 11th day of July, 2000, after due notice and hearing, ordered July 11, 2000, record Owners of the hereinafter described property that the Building be secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to secure the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council determines the actual cost of securing the Building and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 32, Block 33, Bassett Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 5, Page 21, Plat Records of El Paso County, Texas, more particularly described as 59 North Walnut Street, El Paso, Texas,

to be \$1,390.31, performed by the Street Department of the City of El Paso, \$582.86 incurred by the City Attorney's Office and City Clerk's Office in providing notice, and obtaining title report, making a total of \$1,973.17. The City Council finds that the work was completed on the 29th day of August, 2000, resecured the property on the 13th day March, 2002, and approves the costs.

2. That the City Council, in accordance with Section 18.52.040 of the El Paso City Code, declares the above total amount of ONE THOUSAND NINE HUNDRED SEVENTY-THREE AND 17/XX DOLLARS (\$1,973.17) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the abovedescribed property are made a part of this Resolution by reference.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application/supplemental information request form for a COPS MORE 2002 Technology Grant from the U.S. Department of Justice, Office of Community Oriented Policing Services, in the amount of \$832,500.00 for the purpose of purchasing and implementing a mobile automated citation system; matching funds required in the amount of \$277,500.00.

Representative Cobos questioned Mr. Bill Chapman, Chief Financial Officer, whether the item was budgeted during the budget cycle.

Mr. Bill Chapman, Chief Financial Officer, responded yes.

Chief of Police Carlos Leon, explained that this was "electronic ticketing" that allows officers to swipe the driver's licenses during vehicle stops. He explained what "electronic ticketing" encompassed and noted that this would decrease time consumption and would be beneficial to the Municipal Court and Police Departments.

Ms. Richarda Momsen, Municipal Court Clerk, explained that the grant match was from a Municipal Court Technology Fund. She added that she was happy to see the Police Department and Municipal Courts utilizing this equipment.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Joint Resolution granting an easement to the PSB on a portion of Section 17, Block 81, Township 2, Texas and Pacific Railroad Company Surveys, located in the City of El Paso, El Paso County, Texas, for the purpose of installing and maintaining a water and sewer line on the property.
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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Surface Transportation Program-Transportation Enhancement Agreement between the State of Texas, acting by and through the Texas Department of Transportation for the Loop 375 Enhancement Project entered on December 23, 1997, to amend the scope of services.

Ms. Rita Rodriguez, City Attorney, explained the Resolution for Representative Rodriguez' benefit and noted that the Public Works Department would be designing the canopies, in addition to other renovations on the bridge.

Mr. Ed Drusina, Director of Public Works, explained that other amendments were not planned in conjunction with this project; however, there were plans to improve other areas of the Loop.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

| | <u>Lien</u> | <u>Interest</u> | <u>Total Paid</u> | |
|---------------------|-------------|-----------------|-------------------|---|
| 6100 Doniphan Drive | \$968.84 | \$70.38 | \$1,039.22 | o |

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of ELEVEN THOUSAND ONE HUNDRED AND NO/100THS DOLLARS (\$11,100.00 secured grant) against the following described real property:

Lot 29, Block 30, SARAH ANNE PARK, UNIT 2, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof on file in Volume 41, Pages 4, 4A and 4B, Plat Records in the Office of the County Clerk of El Paso County, Texas; also known and numbered as 5737 Sweetwater Drive, El Paso, Texas 79924.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of THIRTEEN THOUSAND SIX HUNDRED AND NO/100THS DOLLARS (\$13,600.00 - \$12,100 loan/ \$1,500 grant) against the following described real property:

Lots 19 & 20, and the Westerly ½ of Lot 18, Block 121, REPLAT OF BLOCK 121, AUSTIN TERRACE, THIRD SUPPLEMENTARY MAP OF GOVERNMENT HILL ADDITION, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 5, Page 11, Plat Records of El Paso County, Texas; also known and numbered as 4716 Chesterfield Avenue, El Paso, Texas 79903.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FOURTEEN THOUSAND TWO HUNDRED AND NO/100THS DOLLARS (\$14,200.00 - \$6,462 loan/ \$7,738 grant) against the following described real property:

Lot 23, Block 17, SKYVIEW UNIT 3, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 17, Page 38, Plat Records of El Paso County, Texas; also known and numbered as 9520 Iris Drive, El Paso, Texas 79924.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of EIGHT THOUSAND AND NO/100THS DOLLARS (\$8,000.00 - \$7,400 loan/\$600 grant) against the following described real property:

Lot 4, Block 18, HACIENDA HEIGHTS UNITS THREE, an Addition to the City of El Paso, El Paso County, Texas, according to the Map thereof on file in Book 12, Page 15, Plat Records of El Paso County, Texas; also known and numbered as 7713 Veracruz Avenue, El Paso, Texas 79915.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of TEN AND 35/100THS DOLLARS (\$10.35).

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of SIXTY-EIGHT THOUSAND SEVEN HUNDRED AND NO/100THS DOLLARS (\$68,700.00 loan) against the following described real property:

Tract 19B6, Block 15, YSLETA GRANT, El Paso, El Paso County, Texas, according to a resurvey made for tax purposes and being more particularly described by metes and bounds identified in the Release of Lien; also known and numbered as 8154 Holloway Place, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of THREE THOUSAND TWO HUNDRED FIFTY AND NO/100THS DOLLARS (\$3,250.00 - \$3,130 loan/\$120 grant) against the following described real property:

Lot 23, Block 39, RANCHLAND HILLS ADDITION UNIT 5 FIRST REVISED MAP, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 10, Page 27, Plat Records of El Paso County, Texas; also known and numbered as 1613 Arlington Street, El Paso, Texas 79915.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a First Amendment to the HOME Financial Terms Contract dated April 20, 2000, by and between the City and Lower Valley Housing Corporation, Incorporated (LVHC) in the amount of Five Hundred Thousand and No/100ths Dollars (\$500,000.00) for the acquisition of real property to assist LVHC in providing housing to low and moderate income homebuyers. This Amendment will extend the term of the Financial Terms Contract for an additional six (6) months.

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*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution that the Mayor be authorized to sign a Traffic Signal Agreement between the City of El Paso and the El Paso Independent School District for the installation of two (2) school flasher signals on Cabaret Street between Mesa Hills and Carousel near Lyndon B. Johnson Elementary School.
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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an interlocal Agreement between the City and County of El Paso, on behalf of the El Paso City-County Health and Environmental District, and the Town of Clint, Texas, for the provision of public health services by the Health District to residents of the Town of Clint. This Agreement is in the amount of \$4,234.00, and shall be effective from September 1, 2001 through August 31, 2002.

***JOINT RESOLUTION**

WHEREAS, the City and County of El Paso, Texas have appointed Dr. Jorge C. Magaña as the health authority, as set forth in Chapter 121, V.T.C.A. Health and Safety Code, and

WHEREAS, the City and County have determined that it is in the best interests of the residents of the City and County of El Paso, Texas to make provisions for an alternate health authority, in accordance with V.T.C.A. Health and Safety Code, §121.0451,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO AND THE COMMISSIONERS COURT OF THE COUNTY OF EL PASO, TEXAS THAT:

Upon taking the OATH OF OFFICE, John M. Tune, M.D., Chairman, El Paso CityCounty Board of Health, be and is hereby appointed alternate health authority for the City and County of El Paso, Texas, for a term concurrent with that of the health authority, and he shall be entitled to act with the full authority of the health authority during the absence of the health authority from the City or County of El Paso, Texas.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute an Annual Report/System Membership Application to continue the El Paso Public Library's membership in the Texas Library System for the upcoming state fiscal year (SFY 2003).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with Ronald E. Dawson covering an "exhibit of photos and related articles on streetcars/trolleys," at the Main Library of the El Paso Public Library System for the period of April 27 through May 5, 2002. This exhibition is at no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with Catherine Kistenmacher, President, Rio Bravo Watercolorists, covering an "exhibit of small watercolors paintings by members," at the Westside Branch of the El Paso Public Library System for the period of May 1 through May 31, 2002. This exhibition is at no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 51010281, SUB-OBJECT 501011

1. CONTRACTOR: Michael Lee Arnold, Lifeguard I, Step 2
DATES: March 25, 2002, thru September 30, 2002
RATES PER HR: \$6.00
CONTRACT NO: 2001/2002-181
2. CONTRACTOR: William H. Bengé III, Pool Attendant I, Step 2
DATES: March 28, 2002, thru September 30, 2002
RATES PER HR: \$5.60
CONTRACT NO: 2001/2002-182
3. CONTRACTOR: Ana Gabriela Gastelum, Pool Attendant I, Step 1
DATES: March 25, 2002, thru September 30, 2002
RATES PER HR: \$5.40
CONTRACT NO: 2001/2002-183
4. CONTRACTOR: Raul Gutierrez, Pool Attendant I, Step 2
DATES: March 25, 2002, thru September 30, 2002
RATES PER HR: \$5.60
CONTRACT NO: 2001/2002-184

5. CONTRACTOR: Elissa Hayden, Pool Attendant I, Step 1
 DATES: March 28, 2002, thru September 30, 2002
 RATES PER HR: \$5.40
 CONTRACT NO: 2001/2002-185
6. CONTRACTOR: Olga Lisette Herrera, Swim Instructor I, Step 1
 DATES: April 1, 2002, thru September 30, 2002
 RATES PER HR: \$5.35
 CONTRACT NO: 2001/2002-186
7. CONTRACTOR: Daniel Juarez, Pool Attendant I, Step 1
 DATES: March 18, 2002, thru September 30, 2002
 RATES PER HR: \$5.40
 CONTRACT NO: 2001/2002-187
8. CONTRACTOR: Juana C. Lewis, Pool Attendant, I, Step 2
 DATES: April 1, 2002, thru September 30, 2002
 RATES PER HR: \$5.60
 CONTRACT NO: 2001/2002-188
9. CONTRACTOR: Alberto Luna, Lifeguard I, Step 2
 DATES: March 25, 2002, thru September 30, 2002
 RATES PER HR: \$6.00
 CONTRACT NO: 2001/2002-189
10. CONTRACTOR: Noel Ernesto Meza, Swim Instructor I, Step 1
 DATES: April 1, 2002, thru September 30, 2002
 RATES PER HR: \$5.35
 CONTRACT NO: 2001/2002-190

*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 51010281, SUB-OBJECT 501011

1. CONTRACTOR: Maria Angela Moncivais, Pool Attendant, I, Step 2
 DATES: March 25, 2002, thru September 30, 2002
 RATES PER HR: \$5.60
 CONTRACT NO: 2001/2002-191
2. CONTRACTOR: Jose Javier Muñoz, Jr., Swim Instructor I, Step 1
 DATES: April 1, 2002, thru September 30, 2002
 RATES PER HR: \$5.35
 CONTRACT NO: 2001/2002-192

3. CONTRACTOR: Hector M. Navarro, Lifeguard I, Step 2
DATES: March 25, 2002, thru September 30, 2002
RATES PER HR: \$6.00
CONTRACT NO: 2001/2002-193
 4. CONTRACTOR: Benjamin A. Ramirez, Pool Attendant I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR: \$5.40
CONTRACT NO: 2001/2002-194
 5. CONTRACTOR: Clarissa Rico, Pool Attendant I, Step 1
DATES: March 28, 2002, thru September 30, 2002
RATES PER HR: \$5.40
CONTRACT NO: 2001/2002-195
 6. CONTRACTOR: David Rivera, Lifeguard I, Step 2
DATES: March 25, 2002, thru September 30, 2002
RATES PER HR: \$6.00
CONTRACT NO: 2001/2002-196
 7. CONTRACTOR: Frank Samaniego, Lifeguard I, Step 2
DATES: March 25, 2002, thru September 30, 2002
RATES PER HR: \$6.00
CONTRACT NO: 2001/2002-197
 8. CONTRACTOR: Magaly Tapia, Swim Instructor I, Step 1
DATES: March 25, 2002, thru September 30, 2002
RATES PER HR: \$5.35
CONTRACT NO: 2001/2002-198
 9. CONTRACTOR: Adam Viera, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR: \$5.35
CONTRACT NO: 2001/2002-199
 10. CONTRACTOR: Kristin Amber Villalva, Swim Instructor I, Step 2
DATES: March 25, 2002, thru September 30, 2002
RATES PER HR: \$5.50
CONTRACT NO: 2001/2002-200
 11. CONTRACTOR: Keith Wade Wheelock, Jr., Lifeguard I, Step 2
DATES: March 25, 2002, thru September 30, 2002
RATES PER HR: \$6.00
CONTRACT NO: 2001/2002-201
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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 51010281, SUB-OBJECT 501011

1. CONTRACTOR: Edgar Chavez, Senior Lifeguard I, Step 1
 DATES: April 7, 2002, thru September 30, 2002
 RATES PER HR: \$6.60
 CONTRACT NO: 2001/2002-202

 2. CONTRACTOR: Ana Emilia R. Garibay, Pool Attendant I, Step 1
 DATES: April 1, 2002, thru September 30, 2002
 RATES PER HR: \$5.40
 CONTRACT NO: 2001/2002-203

 3. CONTRACTOR: Eduardo Alonso Herrera, Pool Attendant I, Step 1
 DATES: April 1, 2002, thru September 30, 2002
 RATES PER HR: \$5.40
 CONTRACT NO: 2001/2002-204

 4. CONTRACTOR: Martha Helena Herrera, Swim Instructor I, Step 1
 DATES: April 1, 2002, thru September 30, 2002
 RATES PER HR: \$5.35
 CONTRACT NO: 2001/2002-205

 5. CONTRACTOR: Gerardo A. Magallanes, Swim Instructor I, Step 1
 DATES: April 1, 2002, thru September 30, 2002
 RATES PER HR: \$5.35
 CONTRACT NO: 2001/2002-206

 6. CONTRACTOR: Nancy N. Reyes, Swim Instructor I, Step 1
 DATES: May 13, 2002, thru September 30, 2002
 RATES PER HR: \$5.35
 CONTRACT NO: 2001/2002-207

 7. CONTRACTOR: Jimmy J. Zambrano, Indoor Pool Manager I, Step 1
 DATES: April 7, 2002, thru September 30, 2002
 RATES PER HR: \$7.75
 CONTRACT NO: 2001/2002-208
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*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 51010281, SUB-OBJECT 501011

1. CONTRACTOR: Ralph Cedillo III, Lifeguard I, Step 2
 DATES: March 25, 2002, thru September 30, 2002
 RATES PER HR: \$6.00
 CONTRACT NO: 2001/2002-209

 2. CONTRACTOR: Stuart John Haddox, Lifeguard I, Step 2
 DATES: March 25, 2002, thru September 30, 2002
 RATES PER HR: \$6.00
 CONTRACT NO: 2001/2002-210

 3. CONTRACTOR: Vanessa M. Licon, Pool Attendant I, Step 1
 DATES: March 25, 2002, thru September 30, 2002
 RATES PER HR: \$5.40
 CONTRACT NO: 2001/2002-211

 4. CONTRACTOR: Lauren M. Harville, Lifeguard I, Step 2
 DATES: March 25, 2002, thru September 30, 2002
 RATES PER HR: \$6.00
 CONTRACT NO: 2001/2002-212

 5. CONTRACTOR: Reginald K. Small, Lifeguard I, Step 2
 DATES: March 25, 2002, thru September 30, 2002
 RATES PER HR: \$6.00
 CONTRACT NO: 2001/2002-213

 6. CONTRACTOR: Sonny Bernal, Pool Attendant I, Step 1
 DATES: March 25, 2002, thru September 30, 2002
 RATES PER HR: \$5.40
 CONTRACT NO: 2001/2002-214

 7. CONTRACTOR: Elva Patricia Wells, Lifeguard I, Step 2
 DATES: March 25, 2002, thru September 30, 2002
 RATES PER HR: \$6.00
 CONTRACT NO: 2001/2002-215
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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**GALATZAN RECREATION CENTER
NO. 51510131, SUB-OBJECT 501011**

1. CONTRACTOR: Raquel Bacq, Day Care Instructor, Step 1
 DATES: June 3, 2002, thru August 31, 2002
 RATES PER HR: \$6.45
 CONTRACT NO: 2001/2002-216

 2. CONTRACTOR: Josephina Erives, Day Care Instructor Aide, Step I
 DATES: June 3, 2002, thru August 31, 2002
 RATES PER HR: \$5.35
 CONTRACT NO: 2001/2002-217

 3. CONTRACTOR: Roland Johnson, III, Day Care Instructor, Step 1
 DATES: June 3, 2002, thru August 31, 2002
 RATES PER HR: \$6.45
 CONTRACT NO: 2001/2002-218

 4. CONTRACTOR: Margaret Y. Ortega, Day Care Instructor, Step 1
 DATES: June 3, 2002, thru August 31, 2002
 RATES PER HR: \$6.45
 CONTRACT NO: 2001/2002-219

 5. CONTRACTOR: Esperanza Saucedo, Day Care Instructor, Step 1
 DATES: June 3, 2002, thru August 31, 2002
 RATES PER HR: \$6.45
 CONTRACT NO: 2001/2002-220

 6. CONTRACTOR: Amy E. Smith, Day Care Instructor, Step 1
 DATES: June 3, 2002, thru August 31, 2002
 RATES PER HR: \$6.45
 CONTRACT NO: 2001/2002-221

 7. CONTRACTOR: Roseanna Vega, Day Care Instructor, Step 1
 DATES: June 3, 2002, thru August 31, 2002
 RATES PER HR: \$6.45
 CONTRACT NO: 2001/2002-222
-

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Engineering Services between the City of El Paso and Martinez Engineering Group, Inc., for a project known as "Fixed Base Operators Ramp at El Paso International Airport", for an amount not to exceed FIVE HUNDRED SIXTY SEVEN THOUSAND FIVE HUNDRED NINETY-FOUR AND 53/100 DOLLARS (\$567,594.53).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Consent to Assignment allowing for EL PASO LONE STAR SECURITY AGENCY to assign monies due under Contract No. 2000-144, between the CITY OF EL PASO and EL PASO LONE STAR SECURITY AGENCY, to INTERSTATE CAPITAL CORPORATION (ICC).

***RESOLUTION**

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as;

NOW, THEREFORE, BE IT RESOLVED:

THAT the City of El Paso hereby requests the sheriff of El Paso County to sell in accordance with Section 34.05, Subsections (c) and (d) of the Texas Property Tax Code a parcel of property described as:

**Lots 30 and 31 (6000 Sq.ft.), Block 16, Canutillo Townsite, El Paso County, Texas.
(PID #C110-000-0160-0030)**

*Motion made, seconded and unanimously carried to approve the request to authorize the Director of Purchasing to exercise the City's option to extend the term of the contract, for one (1) additional year, from May 1, 2002, through April 30, 2003, pursuant to the provisions of contract 2000-167R, Cellular Telephone Services, with Voice Stream Wireless, \$127,000.00 estimated annual.

OPTION NO.: TWO [OF FOUR]

Account No.: Various
Funding Source: Various
Amount: \$127,000.00 Estimated Annually
Department: Communications

*Motion made, seconded and unanimously carried to approve the request for the Director of Purchasing to issue a Purchase Order for Cataloging Services to Amigos Bibliographic Council who is sole provider for the OCLC National Interlibrary Loan Systems. This will allow the El Paso Public Library to participate in Statewide Interlibrary borrowing services for FY2002/2003 and any additional continuation of this service. (0092-96)

Award amount is \$45,170.00 Estimated
Funds available in 31130513-26225 Project PPW0056003
General funds – Library Materials, Book Bond Purchases

.....
*Motion made, seconded and unanimously carried to approve the request to authorize the Director of Purchasing to exercise the City's option to extend the term of the contract, for one (1) additional year, from May 1, 2002, through April 30, 2003, pursuant to the provisions of contract 1999-51-157C1, Security Guard Services for Parks & Recreation, with Ruiz Protective Services, Inc., \$81,807.64 estimated annual.

Option No.: ONE [OF ONE]
Account No.: Various
Funding source: General Funds, User Fee Fund
Amount: \$81,807.64 Estimated Annually
Department: Parks & Recreation

.....
*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend the term of the contract, for one (1) additional year, from May 1, 2002, through April 30, 2003, pursuant to the provisions of contract 1999-51-157C2, Security Guard Services for Parks & Recreation, with El Paso Lone Star Security Agency, \$418,547.50 estimated annual.

Option No.: ONE [OF ONE]
Account No: Various
Funding Source: General Funds, User Fee Fund
Amount: \$418,547.50 Estimated Annually
Department: Parks & Recreation

.....
*Motion made, seconded and unanimously carried that the street and drainage improvements in the Pecan Grove Unit Two Replat "E" Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Pinon Circle - from the southeast property line of Lot 1, Block 27 to the southeast property line of Lot 7, Block 28
Madrone Lane - from the Pinon Circle to the end of the cul-de-sac in front of Lot 13, Block 28

Drainage Improvements:

15 ft. Drainage R.O.W. - between Lots 24 and 25, Block 27; 150.0' of 6.0' high Rockwall; and Concrete Opening with Trash Bars
10 ft. Drainage Easement - at Lot 17, Block 27; 100.0' of 24.0" R.C.P.; 1-Concrete Headwalls; 1-48.0" Manhole; and 1-Concrete Header
15 ft. Drainage Easement - at Lot 6, Block 28; 379.0' of 24.0" R.C.P.; 1-48.0" Manhole; 5.0' x 4.0' of Concrete Box; Tread Plate and 12.0' x 5.0' of Concrete Flume

*Motion made, seconded and unanimously carried to approve the request to allocate \$500.00 from District 8 Discretionary Funds to the El Paso Public Library for the "Dia De Los Ninos - Dia De Los Libros" Annual Event to be held at Washington Park on April 27, 2002.

*Motion made, seconded and unanimously carried to approve the request to transfer \$570.00 from District 7 Discretionary Funds to the Parks and Recreation Department Special Events Newsletter for 1 year of advertisements in the Golden Moments Newsletter, as request by Representative Sariñana.

*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Equipment Operator III (1)
- B. Laborer (8)
- C. Laborer (1)
- D. Library Info Spec I (1)
- E. Recreation Leader II (2)
- F. Recreation Leader II (1)
- G. Laborer (32)

*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Airport Operations Officer (1)
- B. Communications Dispatcher II (1)
- C. Traffic Signs & Markings Wrkr I (1)

*Motion made, seconded and unanimously carried to appoint Tania Schwartz to the Arts Resources Board by Representative John Cook.

*Motion made, seconded and unanimously carried to appoint Hector A. Zavaleta to the Art Museum Advisory Board by Representative Escobar.

*Motion made, seconded and unanimously carried to appoint Michael Walker to the Historic Landmark Commission by Representative Cobos.

Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City, as revised:

- A. PID #C882-999-0020-4100, \$449.61 per month installments on a balance of \$4,496.10 for 2001 taxes; David & Margarita C. Trimble–5336 Country Oaks Dr.
- B. PID #V833-000-0020-0900, \$243.57 per month installments on a balance of \$2,922.84, for 1998 and 2000 taxes; Jose A. & Yvonne Cortez – 12132 Valladolid.

NOTE: David & Margarita C. Ttrimble was revised to read "David & Margarita C. Trimble".

*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Dovenmuehle Mortgage, Inc., in the amount of \$2,255.09; overpayment of 2001 taxes. (PID #P863-999-0050-2500)
- B. Isaac Garcia and Juan Antonio Garcia, in the amount of \$555.55; overpayment of 2001 taxes. (PID #C050-999-2290-4800)

- C. Vanida Loylom, in the amount of \$572.37; overpayment of 2001 taxes.
(PID #W145-999-0320-0800)
- D. Jose G. Moreno and Eduvijen Moreno, in the amount of \$1,746.80; overpayment of 2001 taxes. (PID #B751-999-0010-4700)
- E. Manuel Varela, in the amount of \$2,144.24; overpayment of 2001 taxes.
(PID #P656-999-0100-1500)
- F. Kathleen Warren, in the amount of \$1,943.79; overpayment of 2001 taxes.
(PID #V893-999-1670-4900)
- G. Rene Holguin, in the amount of \$816.70; overpayment of 2001 taxes.
(PID #X579-000-2340-0223)
- H. Lawyers Title, in the amount of \$1,603.01; overpayment of 2001 taxes.
(PID #V897-999-0040-1900)
- I. USDA Centralized Services Center, in the amount of \$1,316.50; overpayment of 2001 taxes.
(PID #G760-000-0010-2700)
- J. Julie Hernandez Primero, in the amount of \$1,204.43; overpayment of 2001 taxes.
(PID #H453-999-0790-9400)
- K. Enrique Delgado, in the amount of \$2,149.93; overpayment of 2001 taxes.
(PID #V897-999-0500-2200)
- L. Rocky Mountain Mortgage, in the amount of \$2,201.07; overpayment of 2001 taxes.
(PID #V893-999-5680-3600)

.....
 *Motion made, seconded and unanimously carried to approve Change Order No. Twelve (Scope Change) to C.F. Jordan Construction for "EPIA Air Cargo Facility 4" for a decreased amount of \$48,218.00 to delete the card access and security camera systems from original contract as requested by Fed Ex. (2001-159)

Motion made, seconded and unanimously carried to move to the Regular Agenda Change Order #1 (Scope) the contract proposes to install 18 electrical street lights for the Del Norte Acres Neighborhood Improvements Project. The solution is to delete the electrical lighting from the contract and have the El Paso Electric Company install the street lighting, as per City of El Paso contract Agreement at a cost of approximately \$15,000.00.

Representative Rodriguez questioned why the City Council representatives use their discretionary funds for street lighting.

Mr. Byron Johnson, Director of Purchasing, explained that the Agreement had street lights as part of the project, which were funded by the Community & Human Development Department. He added that the contract was for neighborhood improvements and noted that the Engineering Department had worked with the El Paso Electric Company to provide the street lighting.

Mr. Charlie McNabb, Chief Administrative Officer, explained that contracts could be amended; however, the funding source was the issue. He explained that general fund monies have not been set aside for street lighting; therefore, Council Members must utilize their discretionary funds to provide for additional street lighting.

Representative Sumrall questioned the "discount rates" provided for by the El Paso Electric Company, for street lighting and could not the Council Members utilize the "discount rates" to provide for street lighting in their respective districts.

Mr. Gonzalo Cedillos, Deputy Director of Engineering, explained the pricing of the street lights was the same pricing which is provided to the Council Members and noted that the lighting for this neighborhood was for overhead installation, not underground, as was originally proposed and is the more costly.

Representative Sumrall reiterated that the Engineering Department was not negotiating a lower payment; however, the product was being changed.

Ms. Carole Hunter, City Clerk, read the revised Change Order into the record as follows: Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried to approve Change Order #1 (Scope) this change order consists of deleting the installation of 18 electrical streetlights from the Del Norte Acres Neighborhood Improvement Project. Value engineering was performed on this aspect of the project and it was found that the City would pay less for the 18 electrical streetlights if El Paso Electric Company would install the streetlights. This change order is a credit in the amount of \$47,890.00 from the original contract. "El Paso Electric Company will charge approximately \$15,000 to install the streetlights", as revised.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-083 Overhead Doors

Award to: Sun City Garage Doors
El Paso, Texas
Item (s): All Items and Options 1, 2 and 3
Amount: \$98,504.00

Department: Equipment Maintenance
Funds available: 04250101-27168-PMB0001220-508004
Funding source: FY00 CO's Equipment
Total award: \$98,504.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the Best Value Procurement.

This is a fixed-price, single (one-time) purchase, to purchase Overhead Doors. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract. A 2% discount is offered if invoices are paid within 10 days and/or a 1% discount if paid within 20 days. This bid also offered the lowest bid prices.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-099 Quint Style Fire Apparatus

Award to: First-In, Inc.
Phoenix, AZ
Item (s): 1 (Base Price \$781,861.00 each)
Delete Options: 77, 78, 79, 80, 82, 83, 84
Add Options: 69 (4 sets)
Amount: \$1,490,712.00
- 187,715.00 Less Trade-In Allowance
\$1,302,997.00

Department: El Paso Fire
Funds available: 04250101-208029-PMB0001130 (\$745,356.00)
04250101-208029-PMB0002130 (\$745,356.00)
Funding source: FY2000 and FY2001 Certificates of Obligation
Total award: \$1,490,712.00

The Fire and Purchasing Departments recommend award as indicated. They are the low, responsive offer from a responsible offeror.

This is a fixed-price, single (one-time) purchase, to purchase two (2) Quint Style Fire Apparatuses. There is an option from the vendor to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days, from the date of award of the contract. No prompt payment discount is offered.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002-106 T.A.S. Compliance for the El Paso Museum of Art

Ms. Carole Hunter, City Clerk, read the item into the record and noted that the funding source was being corrected to read "1993 COs for emergency facilities"

Representative Cobos commented that the project was funded with 1993 Certificates of Obligation and noted that the City was not spending the CO's expeditiously. He asked that during the next Certificate of Obligation and Budget Hearing cycles the City not purchase additional COs until the previous COs have been spent.

Mr. Charlie McNabb, Chief Administrative Officer, explained that a proposal to issue additional COs for Spring was given; however, he sent them back to the Departments and asked them to remove the issuance of the COs if monies could be obtained from previous CO issues or for other varying reasons. He added his first directive was, for past and current City projects, that City Departments consider utilizing CO monies remaining in previous COs issues and to utilize those monies first. He stated that his second directive was not to issue COs for items which could be paid for with old monies and/or could not be completed within one year.

Representative Medina questioned the 1993 COs for emergency facilities and how much money was left in this particular account. He questioned what the City was paying in interest for these 1993 COs.

Mr. Chapman noted \$1.6 million, including the \$127,873.00 for this project. He noted that the City's investment return was approximately 1 7/8. He then discussed the City's plan for utilizing existing cash.

Mayor Raymond C. Caballero explained that since the summer the City has been inventorying the capital project and the available on hand cash and stated that City Departments have been diligently trying to use up the old cash first.

Mr. McNabb discussed the City's utilization of a "Project Management Module" which will assist in monitoring, to the most minute detail, all City projects. He said he would provide a report to all Council Members regarding all the unspent cash the City currently holds.

Mr. Chapman commented on the "Project Management Module" and noted that the module would be in place by September 1, 2002, as the first implementation has just started. He explained in the very near future Council Members would be able to access this information for all their districts' projects.

Representative Power thanked Mr. Chapman and his staff for their diligent work and making all things right.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to award Bid No. 2002-106 T.A.S. Compliance for the El Paso Museum of Art
Contractor: Silverton Construction Company, Inc.
El Paso, Texas

Department: El Paso Museum of Art
Funds Available: 31118111-P501279-27027-508027
Funding Source: 1993 COs for Emergent City Facilities
Base Bid \$127,873.00
Total Award: \$127,873.00

The Departments of Engineering, Art Museum and Purchasing recommend the award of this contract to Silverton Construction Company, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2002-120 Crack Seal Material

Award to: Deery American Corporation
Grand Junction, Colorado
Item (s): 1
Amount: \$25,020.00 (estimated annually)

Department: Street
Funds available: 32010200-503203
Funding source: General Fund
Total award: \$25,020.00

The Street Department and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two years from the date of the award.

This is a Requirements Type Contract with an initial term of TwentyFour (24) months.

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2002-498 COMMUNITY DEVELOPMENT
This budget transfer is for an increase in funding of \$1,500 to be used to attend a mandatory training conference in June 2002. The conference will be held in Salt Lake City.

| | | | | |
|----------|------------|----|----------------------------------|------------|
| Increase | \$1,500.00 | to | 71150005/G7102RSFEDR05151/504201 | EmpTrvl |
| Increase | \$1,500.00 | to | 71150005/G7102RSFEDR05151/406000 | FedGrtProc |

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda Budget Transfer BT2002-523 PW-OMB

This item was discussed concurrently with the development of a unified medical campus. See pages 30-34 or additional comments.

Representative Cobos asked Mr. Bill Chapman, Chief Financial Officer, how much of these monies would be consumed by the BHI land survey. He questioned whether the monies were discussed during budget hearings.

Mr. Chapman responded approximately \$44,000.00 and added that this included the City's health facility, regional command center for police and a fire facility in the area. He explained that Council Members issued a CO (Certificate of Obligation) for the health facilities and part of the funding would come from the CO, the remaining monies come from older bond dollars.

Representative Sariñana questioned where the land was located?

Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to approve budget transfer BT2002-523 PW-OMB
Recognizing appropriation for BHI land survey.

| | | | | |
|----------|-------------|----|------------------------------|-----------|
| Increase | \$22,152.00 | to | 31115108/P59999926061/407002 | Est Rev |
| Increase | \$22,152.00 | to | 31115108/P59999926061/508017 | Surveys |
| Increase | \$11,076.00 | to | 31118111/P50125327023/407002 | Est Rev |
| Increase | \$11,076.00 | to | 31118111/P50125327023/508017 | Surveys |
| Increase | \$11,076.00 | to | 31250204/PPW020360503/407020 | Bond Proc |
| Increase | \$11,076.00 | to | 31250204/PPW020360503/508017 | Surveys |

Representative Sumrall was not present for the vote.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda Budget TransferBT2002-524 OMB

Mr. Bill Chapman, Chief Financial Officer, explained that this budget transfer would allow for the purchase of additional property for parks. He explained that this budget transfer appropriates, through the Working Capital Interest, monies for each district to purchase the land. He added that a second issue regarding this budget transfer was for acquiring 43 parcels of land for Lee Boulevard.

Representative Rodriguez questioned in what districts the purchases of land were to be made.

Mr. McNabb advised that discussing the price of the parcels should be done during Executive Session.

Representative Sumrall commented on the additional land for Arroyo and Althea parks.

Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to approve budget transfer BT2002-524 OMB
To purchase various parcels land for City.

| | | | | |
|----------|--------------|----|---------------------------------|-------------|
| Increase | \$470,000.00 | to | 04102010/P540010CTY27503/407002 | Est Rev |
| Increase | \$470,000.00 | to | 04102010/P540010CTY27503/508000 | Land |
| Increase | \$265,000.00 | to | 04102010/P540010CTY27503/407002 | Est Rev |
| Increase | \$265,000.00 | to | 04102010/P540010CTY27503/502215 | OutsideCont |

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2002-532 COMMUNITY DEVELOPMENT
This budget transfer moves \$2,000 from the FY 2001 (26th Year) Contingency account to the FY 2002 (27th Year) Collingsworth Subdivision Phase IV acquisition project to provide adequate funds to cover the acquisition of eight small parcels.

| | | | | |
|----------|------------|------|----------------------------------|--------------|
| Decrease | \$2,000.00 | from | 71150047/G7126CD000210007/508027 | Construction |
| Increase | \$2,000.00 | to | 71150069/G7127CD003407658/508034 | Pub Access |

.....

*Motion made, seconded and unanimously carried to approve budget transfer BT2002-544 OMB Administrative to transfer appropriation in Outside Contracts.

| | | | | |
|----------|--------------|------|-----------------------|---------------|
| Decrease | \$105,216.11 | from | 09010028/01101/502215 | Out ContNOC |
| Increase | \$ 15,000.00 | to | 55010299/01101/502102 | Artistic Perf |
| Increase | \$ 9,272.00 | to | 55010299/01101/502216 | Promo |
| Increase | \$ 1,750.00 | to | 55010299/01101/504003 | Postage |
| Increase | \$ 79,194.11 | to | 99010355/01101/505413 | General City |

.....

*Motion made, seconded and unanimously carried to approve the request of Ronnie Oliver to block off Imperial Gem between Belfry Park and Blazon Gold on June 8, 2002 from 6:00 p.m. to 10:00 p.m. for a block party. Approximately 100 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (D.J.). PERMIT NO. 02-028

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*Motion made, seconded and unanimously carried to approve the request of Crime Victims Rights Council to hold a walk in recognition of National Crime Victims Week on April 21, 2002 from 9:00 a.m. to 11:00 a.m. Route: Start at Hardaway to Radford, to Caples Circle, to Hastings, to Cumberland Circle to Trowbridge to Hardaway. Approximately 1,000 persons will take part and less than 1,000 spectators are anticipated. PERMIT NO. 02-032

.....

*Motion made, seconded and unanimously carried to approve the request of Buena Vista Beautification Committee to use amplification (4 microphones, 2 speakers) at Buena Vista Park on April 20, 2002 from 2:00 p.m. to 10:00 p.m. Approximately 20 persons will use amplification and 100 spectators are anticipated. PERMIT NO. 02-034

.....

*Motion made, seconded and unanimously carried to approve the request of Joe Rodriguez/Veronica Myers to hold a parade on April 27, 2002 from 10:30 a.m. to 12:00 p.m. for Dia De Los Niños/Dia De Los Libros yearly festival. Route: Start at Zavala Elementary on Hammett and Pera, west on Pera to Copia, north Copia to Alameda, east Alameda to Evergreen, south on Evergreen to Washington Park. Approximately 600 persons and 20 vehicles will take part and 1,000 spectators are anticipated. PERMIT NO. 02-031

.....

*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance granting a Special Privilege to Luis Robles, Jr. to permit temporary sidewalk vending within a portion of public right-of-way located at 701 S. Oregon Street from April 10, 2002 through June 30, 2002. (Fee: \$37.50, SP-02004)

.....

ORDINANCE 15075

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 31, 32, 33 AND 34, BLOCK 19, BRENTWOOD HEIGHTS, EL PASO, EL PASO COUNTY, TEXAS, (5318-5322 GATEWAY EAST BOULEVARD) FROM R-5 (RESIDENTIAL) TO C-4 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Stephen Simon, appraiser representing the applicants, was present to answer questions.

Mr. Rudy Valdez, Chief Urban Planner, explained that the item had been before the DCC (Development Coordinating Committee) and the CPC (City Plan Commission) and both entities voted unanimously to recommend the rezoning of the property.

Representative Sumrall questioned why the CPC approved such a dramatic change and wondered whether special circumstances existed.

Mr. Valdez explained the location of the property as fronting the Gateway, abutting C-4 and proposes an expansion of an existing use.

Motion duly made by Representative Medina, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to delete an Ordinance imposing a temporary moratorium on the issuance of any and all development permits as defined herein, including but not limited to, building permits, issuance of grading permits, approval for detailed site development review, approval for special permits, subdivision approval, and on any application for an amendment to the zoning of property located within the Tax Increment Finance District Number Two, as described herein, to be effective upon passage of this ordinance until December 31, 2002, with certain exceptions.
.....

ORDINANCE 15076

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 12 (VEHICLES & TRAFFIC), TO CREATE CHAPTER 12.54 (TOWING REGULATION AND FEES); SECTION 12.54.010 (DEFINITIONS); SECTION 12.54.020 (MAXIMUM FEE SCHEDULE); SECTION 12.54.030 (REMOVAL OF DEBRIS); AND 12.54.040 (PENALTY) TO ESTABLISH MAXIMUM FEES THAT MAY BE CHARGED WITHIN THE CITY FOR NONCONSENT VEHICLE TOWS AND TO REQUIRE THE REMOVAL OF DEBRIS DROPPED FROM VEHICLES, THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (PENALTY) OF THE EL PASO MUNICIPAL CODE.**

Representative Sumrall thanked Ms. Elaine Hengen, Assistant City Attorney, for her legal expertise and research and questioned whether there were any opponents to the Ordinance.

Representative Power questioned whether there was an increase in fees, what the current fees were and who the City awarded the contract to for private towing services.

Representative Sumrall explained the Ordinance language for Representative Power.

Ms. Hengen explained that the City has a contract for towing services for City initiated tows and explained that this Ordinance was for vehicles parked in a parking space for which the driver was not doing business.

Representative Cook explained background information as to how the Ordinance came into existence.

Representative Sumrall commented on signage in parking lots which state if you park your vehicle here your vehicle will be towed by the owner and noted that these signs may not be legal due to the lack of providing a name as to what company would be doing the towing.

Representative Rodriguez questioned what the differences in the fees were.

Mr. Ignacio Escandon, El Paso Towing, expressed his support of the Ordinance and noted the price differences for one ton, one-axle vehicles and other types of vehicles. He briefly commented on the signage issue brought up by Representative Sumrall and explained that State law requires towing companies which tow from private property to private impounds to report the tow to the Police Department within two hours.

Motion duly made by Representative Cook, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Medina was not present for the vote.

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ORDINANCE 15077

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING TO PAUL BERUBE A NON-EXCLUSIVE FRANCHISE FOR LITTER RECEPTACLES ON SIDEWALKS AND OTHER CITY PROPERTY.**

Ms. Emma Acosta, Deputy Director of Solid Waste Management, asked that the item be postponed for two weeks due to the need to review the Agreement.

Representative Cobos asked that the item be discussed today due to his firm position on the containers on the side of the roadways. He explained that he would be making a Motion during the discussion. He added that there may be no need to review the contract.

Representative Sumrall suggested that the item be discussed during a Legislative Review Committee meeting due to the receptacles being placed on the right-of-ways.

Ms. Rita Rodriguez, City Attorney, advised that the item should be discussed during Executive Session in order to provide any legal advice.

A motion was made, seconded and carried with the Executive Session Motion to move this item to executive session to allow the City Attorney to provide legal advice. (See Page 4__ for details.) After Executive Session discussion the following motion was made. (Also see Executive Session Actions on Page 4__)

Motion duly made by Representative Medina, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Rodriguez, Medina, Cook, and Cobos

NAYS: None Absent: None

Representatives Sumrall, Power, Escobar and Sariñana were not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of February 19, 2002, for the property located at 159 Newman Street, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owners of record as of 01/09/02, Jose Felix Briseno, 159 Newman Street, Maria Luisa Briseno-Padilla, 159 Newman Street, Fernando Briseno, 159 Newman Street, and Raymundo Briseno, 159 Newman Street, have been notified of the violations at this property.
.....

ORDER

WHEREAS, after providing due notice to the Owners of the hereinafter described property, the City Council of the City of El Paso conducted a Public Hearing on February 19th and April 16th, 2002, regarding the property located at 148-150 N. Brown Street, more particularly described as:

Lots: S 75 ft. of 1 to 3 and 75 ft. of W 15 ft. of 4, Block 32, Franklin Heights

and found that the Building located on said property is substandard; unfit for habitation or use, and a hazard to public health, safety and welfare; and that the Building is not in substantial compliance with the Municipal Ordinances, and that the Building can be repaired; and

WHEREAS, having found that the Building is not in substantial compliance with the Municipal Ordinances, the City Council ORDERED the Owners of said property to secure the Building and remove all weeds, trash and debris, within 30 days of adoption of the Resolution dated February 19th, 2002, that is on or before March 19th, 2002.

WHEREAS, the City Council ORDERED the Owner of said property to appear before City Council on April 16th, 2002, for a Public Hearing to determine whether the Council Order has been complied with and to determine penalties if the Council Order has not been complied with:

WHEREAS, no one appeared.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council, having heard the evidence, makes the following findings:
 - a. That the Owner of said property, Carlos Escobedo, 10540 Kendall Street, El Paso, Texas 79924, was notified of the requirements of Section 18.52.040 and of his need to comply with these requirements as they relate to their property; and
 - b. That after notification, the Owner committed an act in violation of Section 18.52.040 or failed to take an action necessary for compliance with 18.52.040, specifically; the Owner failed to secure the Building, and clean the premises of all weeds, trash and debris within 30 days after February 19th, 2002 that is, on or before March 19th, 2002; and

- c. That the Owner has failed to comply with the Order each day from March 20th , 2002 through April 16th , 2002, a total of 28 days; and
- d. That the property which is subject to the Order is not the Owner's homestead; and
- e. That the City Council can assess a civil penalty against the Owner in an amount not to exceed \$1,000.00 a day for each violation, a total of \$28,000.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

- 1. That the Owner is hereby assessed the following civil penalties: \$100 a day for each of the 28 days during which the City Council Order of February 19th , 2002 was not complied with; for a total of \$2,800.
- 2. That the City Clerk file a certified copy of this Order with the District Clerk of the County of El Paso; and
- 3. That the Owner is hereby placed on notice that continuing failure to comply with the City Council's Order to secure the Building and clean the premises of all weeds, trash, and debris may result in additional penalties.

Representative Cobos questioned whether Mr. Carlos Escobedo, property owner, was available to answer questions. There was no response.

Mr. Thomas Maguire, Building Services Department, discussed the case, showed slides and gave the Department's recommendations.

Representative Escobar questioned when was the last time Mr. Maguire had spoken to Mr. Escobedo and questioned what his intentions were.

Mr. Maguire responded at the Hearing on March 19, 2002 and stated that Mr. Escobedo had explained his intentions were to clean up the property and secure it. He added that Representative Cobos had advised Mr. Escobedo to apply for Community Development funds to rehabilitate the structure, as of yet, Mr. Escobedo has not filed an application or expressed an interest in securing funding.

Representative Cobos stated that Mr. Escobedo had been given every opportunity to comply and added that the Mayor has mandated that citizens should make every effort to maintain their properties. He noted that this individual is a City employee who refuses to comply with City Council Orders.

Representative Cook questioned whether unpaid taxes were owed on the property and questioned the \$100.00 penalty and whether this fine should not be made higher. He noted that the amount of the penalties was very lenient.

Mr. Maguire explained the different types of penalties and what additional costs, liens and other possible additional fines and/or penalties might be added to the property.

Representative Sumrall asked Ms. Rita Rodriguez, City Attorney, whether the individual might be sued for the funds instead of placing a lien on the property, for example when Solid Waste Management cleans the property.

Ms. Rita Rodriguez, City Attorney, stated that the City could pursue action against property owners with dilapidated property.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to accept the recommendations of the Building Services Department and to approve the above resolution..

.....
*Motion made, seconded and unanimously carried to postpone two (2) weeks the request to reject Bid No. 2002-082 Household Hazardous Waste Disposal Service as recommended by Purchasing and Solid Waste Management Department.

This requirement will be reviewed by the user department. A new request for bids will be revised and will be issued at a later time.

.....
Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to reject Bid No. 2002-073 for Parking Enforcement Vehicles for the Police Department as recommended by the Purchasing, Police and Equipment Maintenance Departments.

It is more cost effective to purchase compact sedans.

.....
Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to delete the discussion on religion and politics. (Anita Blair) Ms. Blair was not present.

.....
Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to postpone eight (8) weeks the discussion and action on tax exemption for Five Points Masonic Lodge. (Jack Morgan)

Mr. Jack Morgan, Treasurer of Five Points Masonic Lodge 1137 located at 2430 Morehead, asked that the City Council remove the paying of the property taxes from the property.

Ms. Rita Rodriguez, City Attorney, stated that the last legislature created a local option on certain types of charitable organizations that are not entirely charitable, such as Masonic Lodges, fraternal organizations, etc. She advised Council that if the decision were granted for this organization it would then automatically exempt all organizations from paying property taxes.

Mayor Raymond C. Caballero reiterated Ms. Rodriguez' comments and added that if the City did this for one organization, all organizations would ask for the same exemption.

Representative Cook commented that in a prior State legislature passage organizations such as the YMCA and YWCA were granted exclusion from the tax base and that was why groups such as the Optimist clubs have been lobbying for their exclusion as well.

Representative Sumrall empathized with Mr. Morgan and suggested that the City ask the Central Appraisal District for information regarding other fraternal organizations currently paying property taxes.

Mr. Charlie McNabb, Chief Administrative Officer, explained that the Central Appraisal District could not identify or distinguish between organizations unless there were stated exceptions.

Representative Cook discussed the language written in the State law and the organization's ability to be excluded from paying the property taxes.

Mr. McNabb disagreed and interpreted what the State law language entailed.

Mr. Morgan stated that his organization received a letter from the State Comptroller stating his organization should be exempt from taxation due to the organization's charitable status.

Mr. McNabb clarified that the State Comptroller's letter does not state that the organization should be exempt from paying property taxes but rather it was the City Council's determination as to whether or not the organization should be exempt. He was concerned as to the eight week postponement due to a possible time limit.

Mayor Caballero suggested postponing the item for the eight weeks; however, if a determination was made prior to the expiration of the eight weeks the item should be brought back to City Council.

.....
Motion made by Representative Sumrall, seconded by Representative Medina and carried to delete the discussion and action on postponing the bid process pertaining to the Union Plaza parking garage and the feasibility of creating a Peoples Plaza on the empty lot just South of San Antonio St., North of Overland, East of Durango and West of Leon. (Pat Goff) (per Mayor Pro Tem Larry Medina)

Representative Cook and Representative Cobos voted Nay.

Representative Medina commented that a Sun Metro Legislative Review Committee meeting was held April 1st and he concurred that the idea was excellent; however, it would cost more money and would set the project back for many years.

Mayor Raymond C. Caballero suggested that the bid processing begin unless new information would be heard today.

Representative Medina added that he would be willing to wait but two years was too long. He further stated the \$2 million dollar addition to the project cost was unreasonable.

Representative Sumrall stated that the plan was wonderful but suggested that other locations throughout the City be considered.

Representative Cook spoke about a possible alternate site and commented on the City's unused cash as a possible suggestion for the additional \$2 million dollar cost.

Mr. Joe Vallejo, Superintendent Operations - Sun Metro, was present to answer questions.

Representative Cobos explained that the parking garage would cause traffic congestion on San Antonio street and the parking garage would deny citizens access to the only venue for entertainment in the downtown area.

Representative Power discussed the design of the parking garage and noted that there would be 15,000 square feet of retail stores inside. He stated he would also like to see the proposed alternative sites for the People's Plaza.

Mayor Caballero suggested discussing the alternative sites at another time and asked that the item be deleted. He added that a Legislative Review Committee meeting should be held to discuss these alternative sites and any other proposals.

Mr. Pat Goff, businessman, presented a PowerPoint presentation with new information to be issued and discussed the traffic congestion on San Antonio Street during the last event which was held at the Civic Center. The new information he asked Council Members to consider was the opportunity to add 33,000 square feet to the Civic Center and presented an architect's rendering of the proposed additional space. He

asked that Council Members consider not building a parking garage nor a transit terminal but rather to consider tourism and future for bringing tourism to El Paso.

Mr. Gilbert Guillen, Chairman of the Union Plaza District, asked Council Members to continue with the progress of the Union Plaza and discussed future festivals for downtown.

.....
No action was taken regarding the discussion on the development of a unified medical campus. (Mayor Caballero)

This item was discussed with Budget Transfer BT2002-523 PW-OMB. Please see page 21 for additional comments.

Mayor Raymond C. Caballero presented Council Members with a PowerPoint presentation regarding the development of a purposed unified health campus and gave information regarding such.

Representative Sariñana asked Mayor Caballero to explain an Ordinance regarding a moratorium.

Mayor Caballero stated that he was not in agreement with the moratorium Ordinance, in particular, regarding individuals having to make emergency repairs to their homes. He believed that the zoning applications should be delayed for 90 days and building permits under \$50,000.00 should be allowed to follow the routine process; however, any emergencies over \$50,000.00, such as a home burning down, etc. should also be considered, but all others should be placed on hold for 90 days. He noted that the Planning Department explained that in order to create a worthy Master Plan for the area, 90 days would be rushing the process. He commented on the National Endowment for the Arts interest in design programs and projects such as this and that by waiting a little longer this would be a wonderful site. He concluded that he deleted the moratorium Ordinance and added that it was unfortunate that an individual would create an impression in the press that the community was against a four year medical school, against the development of a regional unified medical campus, the development of a children's hospital, etc. He added that Mr. and Mrs. J. O. Stewart had given a very generous gift of land, 10-12 acres, for the site.

Representative Sariñana explained that individuals from the community had called his office with concerns regarding the BHI and other issues such as where the money was coming from, etc. He stated for the record that he was not against a children's medical hospital but he was against a medical campus. He explained El Paso already has great facilities in El Paso at UTEP and that the City should be working with UTEP and El Paso Community College, Sierra and Providence Medical Hospital, Del Sol and Las Palmas.

Representative Sumrall asked what the make up of the BHI Board was and what entities were represented. She noted that Dr. Natalicio was involved in the Border Health Institute, in addition to, Dr. Nickey, Dr. De la Rosa and many other prominent leaders of the community.

Dr. De la Rosa, Texas Tech Health Sciences Centers Regional Dean, spoke on behalf of Texas Tech and explained that the plan continues to be to place a four year medical school on the El Paso campus. He stated that the extension of the currently existing third and fourth year medical school to first and second years, would allow Texas Tech to bring research into the community to provide high paying jobs, establish a new endeavor for the City, to carve a niche in Border and Hispanic health, environmental diseases, diabetes and immerging infectious diseases, etc. He explained that a medical school accomplishes this with Ph.D. researchers who teach first and second year medical students. He then discussed the differing five to seven current plans for Council Members' information and referred to a PowerPoint presentation to enhance these plans.

Representative Cobos raised the question to Dr. De la Rosa as to whether Texas Tech had received \$25 million dollars with tobacco settlement monies to research involvement of Border Health Institute ("BHI") and questioned how much of the \$25 million was given to the "BHI" to conduct surveys, develop a Master Plan to move forward.

Dr. De la Rosa explained that the \$25 million was established as an endowment and the proceeds of the endowment are what was expendable and Texas Tech had received roughly \$900,000 to invest. He stated that the \$900,000 has not been given to the BHI; however, the monies have been specifically established for research for environmental health, the establishment of the El Paso Center for Diabetes Research and infectious diseases. He thanked the Stewart family for their very generous donation of 13.9 acres for the research facility. He noted that tomorrow, April 17th, 2002, he and Dr. Gordon McGee would be going before the Texas Medical Association, Council of Medical Education, to present the actual proposal for the expansion of the four year medical school. He concluded by inviting Council Members to a meeting on May 1st at 10:00 a.m. to receive the City's input and asked for all the Council Members' support.

Mayor Caballero noted that the constituent institutions each have their plan(s) and the City would be trying to coordinate all the institutions.

Dr. Gutierrez, pediatrician, spoke on behalf of the children in El Paso and advocated his full support of the Border Health Institute. He noted that a unified medical campus would attract individuals that the City has not been able to keep in the City. He stated that the City has been without a pediatric surgeon for two years and trying to attract a physician to El Paso has been difficult due to fractionated medical care. He explained that physician(s) would need to utilize all the different hospitals in the area rather than having state of the art equipment in one facility.

Mr. Jose Rodriguez, County Attorney representing the El Paso County Hospital District, stated that no issue was more significant and important for the El Paso Community than the Border Health Institute, unified campus, and the four year medical school for Texas Tech. He explained that this was not an issue being promoted by one entity but rather the entire City. He noted that the idea of the Border Health Institute arose from the Economic Summit in 1998 and one of the key elements for economic development identified by the business community, community members, academic community, elected officials and all cross sections of the community was a "Border Health Institute". He suggested that everyone set aside personal agendas, misinformation to the community, and move forward and serve the community. He explained that he drafted the Articles of Incorporation and by-laws for the BHI, in addition to, testifying in Austin for disparate Medicaid reimbursement rates.

Representative Cobos questioned why the County backed out of the Tax Increment Financing District.

Mr. Rodriguez explained that it was not his decision and could not speak for the County Commissioners; however, he noted that the City Council, in his opinion, was farsighted and visionary for adopting a TIF for this area to facilitate the economic development for this region.

Representative Power concluded that there would be a great potential for profit for all those involved in the BHI and unified medical campus.

Mr. Rodriguez remarked that the campus would include private medical facilities.

Representative Power remarked that he supports the BHI and that the City Council was unified in its support of the BHI but the imposition of a moratorium raised some concerns from some Council Members.

Mayor Caballero reiterated that he had requested a moratorium of 90 days on zoning applications and on building permits over \$50,000.00.

Representative Medina stated that continuous dialogue was very important and that information and/or misinformation would be addressed during a series of town hall meetings to be held in the near future and invited all interested individuals to attend.

Representative Sumrall concurred with Representative Power's comments and stated that individuals in the audience today were protecting their properties; however, what was being discussed today was the future of the medical community and the future of the children in El Paso. She noted that the moratorium Ordinance had already been deleted from today's Agenda.

Mrs. Carmen Cardona, mother, introduced her six-year-old young son, Dante, who was diagnosed with Lader's syndrome and spoke in support of the unified health campus.

Mayor Caballero sympathized with Ms. Cardona and assured Dante and all other children that this community would do everything it could to grow a medical campus and get the Children's Hospital as quickly as possible.

Mr. Sam Legate, Board Member of R. E. Thomason General Hospital, stated that the community must come together to make the Border Health Institute and Children's Hospital a reality. He invited everyone to attend the Children's Taskforce meeting on April 25th, 2002. He stated that he wants a Children's Hospital in El Paso so that children do not have to fly to Dallas, San Diego or Houston for medical treatment(s). He explained that the best children's hospitals in the United States are tied to universities due to the connection between academic research and high quality doctors. He alluded to utilizing tobacco settlement monies to assist with funding for the Children's Hospital.

Dr. Luna, physician, explained that he has been fighting for a BHI for 20 years. He noted that there were no doctors and/or specialists in El Paso and how frustrating it is to see a doctor in El Paso. He stated that the reason El Paso needs a unified medical campus was because of the need to take care of the poor and uninsured patients. He spoke about financing of health care for the poor and remarked that a medical school associated with the county hospital was the default system for care of the indigent. He discussed the statistics of people who travel to Juarez to receive medical attention. He asked that everyone put their personal agendas aside because the Border Health Institute was for all El Paso.

Mr. Ray Gilbert, citizen, asked that everyone unite in support for Texas Tech and the four-year medical school.

Mr. Roger Davey, speaking on behalf of the property owners, explained that the property owners were not opposed to the idea of the Border Health Institute but rather the City's heavy handedness regarding the moratorium. He stated that the moratorium scared and concerned the property owners thus creating opposition and chaos. He added that when City Council discusses moratoriums in the future that they think long and hard before moving on it.

Mayor Caballero asked Mr. Davey whether the property owners he represents are in support of the unified medical campus as long as they are treated fairly regarding their properties. He asked if the property owners were told they would not receive anything less than fair market value for their property.

Mr. Davey responded that no one had stated such when he was in their presence. He added that, in his opinion, the moratorium was an attempt to take the properties of these individuals.

Mr. Edward Piñon, 216 Hadlock, explained that he knows City Council and "things can change". He commented on his children's health and hoped that he would never have to take his children out of town for medical attention. He stated that he was in support of the BHI and no one had told him he could not make

minor repairs to his home or that he would not receive less than fair market value for his home. However, he stated, that he would not be able to purchase another home for the amount of money he would receive from the City.

Mrs. Irma Piñon, 216 Hadlock, reiterated comments made by her husband. She stated she was in support of the BHI; however, she asked that the site be located in Kern Place.

Mayor Caballero explained that the decision regarding the selection of the site was made by other individuals not himself. He explained that Thomason, Texas Tech and the County had already contributed hundreds of millions of dollars into the area, in addition, to the El Paso Independent School District's placement of the Silva Magnet Health School.

Mr. Leopoldo Sierra, citizen, explained that he does not live in the proposed unified medical health district; however, he was in favor of the BHI.

Ms. Theresa Caballero, attorney, appealed to Council Members and asked Council Members to review the "numbers" and asked where the money was coming from. She commented on the tax rollback petition and other issues. She asked that the City hire an outside auditor to advise Council Members as to how much money was being brought in, where the monies were going and what it had been earmarked for. She commented on who the members of the BHI Board were. She also commented on property values and TIF Districts. She stated that Representative Medina was elected to do what his constituents want him to do. She asked that Council Members make an intelligent study of the issues and sit down with an independent financial advisor to go over the "numbers".

Ms. Lisa Turner, citizen, asked during the last budget hearings that El Paso bring a pediatric surgeon to the city for El Paso's children. She commented on El Paso's need to bring in corporations; however, there is not sufficient medical care. Ms. Turner alluded to House Bill 2025 which explains the funding for the BHI, who would oversee it, etc. She asked Council Members to move forward with this issue.

Representative Cobos explained that the debate was not whether El Paso needs a children's hospital but rather financing and public input. He stated that we all want Texas Tech to have a four-year medical school and the BHI concept is a good one but he wondered how El Paso was going to get to that point.

Ms. Loretta Ackers, Senator Shapleigh's representative in El Paso, read a letter from Senator Shapleigh and explained that he lends his support for the four-year medical school and the creation of the Border Health Institute. She noted that Senator Shapleigh would be more than happy to answer any questions regarding the Border Health Institute.

Mayor Caballero thanked Ms. Ackers and her staff for their commitment to build the medical facility.

Mr. Robert Saltice, citizen, spoke on events surrounding September 11 and asked that people not forget it. He asked Council Members to consider where El Paso was going to get the money for the Border Health Institute and responded that El Paso would get the money because we have a prime medical facility. He commented on El Paso's good weather, good food, travel and transportation. He added that El Paso does not have floods, hurricanes or tornados. He added that the medical school would draw a retirement community, major corporations would back a four-year medical school and Fort Bliss already has a teaching hospital in Beaumont.

Mrs. Carol Trujillo, 329 Euclid resident, stated that she was not against the hospital; but she was against losing her home. She commented on the value of her property diminishing and that she would not have a home for her great grandchildren.

Mrs. Irma Gatska, 310 Dunne resident, has lived in her home for 60 years and grew up in the neighborhood. She understands the need for a children's hospital but she would like to see the facility built downtown.

Mrs. Vivian Rojas, spoke on behalf of her grandmother who lives at 5245 Montview, and that her grandmother and grandfather built the home. She stated her grandmother was too intimidated to speak, was very nervous about the situation and she has become ill because of it. She explained that she and her grandmother were in favor of the children's hospital and BHI; however, she was concerned that the citizens were not given an opportunity to speak on the matter and she wondered how the project was being financed.

Mr. John Dillon spoke representing Miles El Paso Investments LTD, owner of both improved and unimproved commercial parcels within TIF District No. 2. He noted that his company was not opposed to the BHI but the company would like to pursue the economic interest with respect to the property. He noted, for the record, that his company was opposed to the moratorium. He added that his company would like to be informed in matters pertaining to their properties and asked that they be invited to all meetings.

Mr. Mervin Moore, architect with Moore and Nordell Kroeger Architects Inc., spoke on El Paso's low self-esteem and recognized that the Border Health Institute would raise this self-esteem to include world-wide recognition. He endorsed the idea of a Regional Health Institute for many reasons and appreciates all the thought behind it.

Mrs. Soledad Rojas de Sanchez, Euclid resident, discussed the Border Health Institute in Spanish. Mayor Caballero translated.

.....
Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance authorizing the Mayor to sign a Deed Without Warranty conveying to Harvest Christian Center a parcel of land consisting of approximately 19,672 square feet, being Tract 8-F-5, S. A. & M. G. R. R. SURVEY NO. 268, ABSTRACT 4707, El Paso, El Paso County, Texas.
- B. An Ordinance amending Title 12 (Vehicles and Traffic) to add Chapter 12.26 (Cruising), to define cruising and to prohibit cruising on certain streets of the city during designated hours, the penalty being as provided in section 12.84.010 of the El Paso Municipal Code.

PUBLIC HEARING WILL BE HELD ON APRIL 30, 2002 FOR ITEMS A - B

- C. An Ordinance changing the zoning of Tract 3-B, U. S. GOVERNMENT NO. 3, El Paso, El Paso County, Texas (6951 Delta Drive) from R-4 (Residential) to C-1 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant / Representative: Raymond Telles, 10100 Honolulu Dr., El Paso, TX. 79925. ZC-01045
- D. An Ordinance changing the zoning of Lot 16 and the North 4 Feet of Lot 17, Block 273, CAMPBELL ADDITION, El Paso, El Paso County, Texas (1012 North Campbell) from A-2 (Apartment) to S-D (Special Development) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: PAE Properties, Inc. / Representative: Ron Pate, 505 E. Rio Grande, El Paso, TX. 79902. ZC-02006

- E. An Ordinance Granting Special Permit No. SU-02002 to allow for a parking reduction on the property described as Lots 11-15, Block 140, CAMPBELL ADDITION, El Paso, El Paso County, Texas (702 East Paisano Drive), pursuant to Section 20.64.175, and the penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: C-4 (Commercial). Applicant: Dr. Mario Padilla / Representative: McCormick Architecture, LLC, 4110 Rio Bravo, Suite 206, El Paso, TX. 79902

PUBLIC HEARING WILL BE HELD ON MAY 7, 2002 FOR ITEMS C - E

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Representative Sumrall was not present for the vote.

.....
Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to postpone one (1) week the introduction of an Ordinance imposing a moratorium on PSB impact fees, until a third party agency conducts a thorough, financial audit of the PSB to determine actual costs and impacts of new development.

Representative Sumrall was not present for the vote.

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ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**A RESOLUTION SUPPLEMENTING GUIDELINES AND CRITERIA
GOVERNING TAX ABATEMENT AGREEMENTS**

WHEREAS, the Property Redevelopment and Tax Abatement Act, Chapter 312, TEX. TAX CODE ANN. (West 2000), as amended ("the Act"), provides criteria regarding the adoption and utilization of guidelines for a tax abatement program; and

WHEREAS, the City of El Paso, by Resolution dated June 26, 2001, has adopted guidelines and criteria governing tax abatement agreements in accordance with the Act; and

WHEREAS, the City of El Paso desires to supplement such Guidelines and Criteria by adopting a Tax Abatement and State Enterprise Zone Policy with respect to Commercial and Industrial Projects;

NOW, THEREFORE , BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

That the attached Tax Abatement and State Enterprise Zone Policy - Commercial and Industrial Projects ("the Policy") shall hereby supplement the City's Guidelines and Criteria Governing Tax Abatement Agreements. The Policy shall provide criteria of location and significant economic impact as qualifications for projects to be considered for tax abatement and for State Enterprise Zone designation, shall include a list of evaluation criteria, and shall establish a project evaluation procedure. (Attachment on file in City Clerk's office).

Mr. Robert "Bob" Cook, Chief Executive Officer of the Greater El Paso Chamber of Commerce, opened the discussion and explained that the Chamber had adopted a Resolution of support regarding the approach to economic incentives.

Ms. Christy Borden, Economic Development Department, presented Council Members with a PowerPoint presentation and discussed such presentation in detail.

Representative Cook commented that this was a very positive step forward for the City.

Representative Power thanked Ms. Debbie Hamlyn, Director of Community & Human Development, Ms. Borden and the Chamber of Commerce and noted this was a wonderful beginning of a partnership with the Chamber of Commerce to promote the City. He asked Ms. Borden to explain the process by which corporations access incentive packages for the City.

Ms. Borden explained that the City and Chamber have undertaken a collaborative relationship to move economic development forward in the Community and noted that on May 9th a process will be established which identifies how this takes place. She stated that these identified tasks would then be divided between the Chamber and the City which will eliminate redundancy, waste of resources, etc.

Mr. Cook explained that one of the Chamber's roles was to aggressively market this package and the community. He further stated that the Chamber maintains a relationship with over 140 consultants. He explained that the collaboration between the public and private sectors was absolutely critical.

Mayor Raymond C. Caballero thanked Mr. Cook, Ms. Borden, Ms. Susie Byrd, Mr. Mervin Moore and Mr. Tom Thomas for helping make the City of El Paso more competitive.

Mr. Tom Thomas, Senior Vice President of Economic Development, Chamber of Commerce, stated that this was a great collaboration, many smaller entities have participated in the process and that this is a wonderful product.

Mr. Mervin Moore, Chairman of the Greater El Paso Chamber of Commerce, thanked the Council Members for the opportunity to make the presentation. He thanked Ms. Borden and Mr. Cook and all others for putting the product together. He noted that many hours of research were devoted to this product and this was one example of business and government working together.

Mayor Caballero stated that this was a combined policy statement between the Greater El Paso Chamber of Commerce and the City of El Paso, a "united policy".

Mr. Moore responded that this "united policy" was a first and not done by any other City administration.

Representative Medina commented that he had never seen incentives such as these and he was very happy to see that incentives and/or abatements were no longer considered "thank you" gifts for companies. He stated that these business incentives were extremely progressive, positively aggressive and will allow El Paso to go toe-to-toe with other communities to attract companies to El Paso.

Representative Power stated that creating this mechanism would require additional resources for the Economic Development Department and stated for the record that he supports the Economic Development Department and the resources necessary to implement this in the way it needs to be implemented.

Ms. Christy Borden recognized the members of the Economic Development Department for their assistance, specifically Mr. Adrian Ocegueda, Economic Program Analyst I.

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

Representative Sumrall was not present for the vote.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the attached Redevelopment and Incentive Statement - Commercial and Industrial Projects shall hereby be adopted as an expression of the City's commitment to provide services necessary to facilitate business investment in El Paso in accordance with the City's Strategic Development Goals, by encouraging redevelopment in various investment zones and by identifying incentive models for various types of businesses. (Attachment on file in the City Clerk's office).

See above discussion.

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

Representative Sumrall was not present for the vote.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELPASO:

That the Director of the Zoo be authorized to approve and sign the Donation Agreement and other related documents between Center for Elephant Conservation of Polk City, Florida, and the El Paso Zoo providing for the donation to the El Paso Zoo of one Asian elephant, named "Juno." The elephant shall be provided to the El Paso Zoo at no cost, and costs of transportation of the elephant shall be borne by the Center for Elephant Conservation.

Dr. William R. Torgerson, Zoo Director, explained that the Resolution would enable the zoo to acquire a female elephant, 30 years of age, from the Ringling Bros. Circus breeding facility. He added that "Juno" was not aggressive and would be a good companion for the elephant currently residing at the zoo, Savannah. He explained that the El Paso Zoo has the recommendation of the AZA (Association of Zoos and Aquariums) and SSP (Special Survival Program) for acquiring the animal, as well as the recommendation to keep Savannah in El Paso. He stated depending upon the needs of the SSP for Asian elephants, the zoo would readdress how it would be part of that program.

Dr. Steve Best, Voice For All Animals, professor of Philosophy at UTEP (University of Texas at El Paso) asked Council Members to delay any further discussions about the zoo and not to act on any zoo policies until Council Members have met with members of Voice For All Animals and Ms. Carole Buckley from the Elephant Sanctuary. He explained that Voice For All Animals was present not to debate the issue today but to ask Council Members for a debate.

Ms. Marlene Sage, Voice For All Animals, spoke about "Sissy" the elephant's beating and questioned what action was taken against those City employees who were involved.

Ms. Lisa Turner, citizen, stated zoos provide a place to protect many species and she suggested that Council Members accept the zoo's recommendation.

Representative Medina stated he would vote against this issue and other issues like this in the future. He stated that since other alternatives exist, he would not vote favorably.

Representative Cobos asked Dr. Torgerson how many acres the current elephant exhibit contains and whether plans were being considered to expand the size. He asked whether monies from the \$141 million Quality of Life Bond Issue were allocated to expand the exhibit. He asked for more time to consider the issue.

Dr. Torgerson stated the current elephant exhibit was three and a half to four acres in size; however, plans were to expand the size and mentioned that he would like to utilize land within Washington Park. Dr. Torgerson responded that no monies from the bond election were allocated for the elephant expansion and that the future elephant expansions were going to need new monies for funding.

Representative Medina remarked he would vote to accept the donation of Juno as long as both elephants were moved to the elephant sanctuary in Tennessee.

Mrs. Terry Winner, President of the Zoological Society, explained that El Paso has one of the finest zoos. She commented on the recent births at the zoo and spoke on behalf of the veterinary care provided to the zoo animals. She noted how many people visited the zoo last year, how much money the zoo brought in and the number of volunteers and volunteer hours that were donated.

Representative Cobos explained that elephants need room to roam and he was under the impression that monies were available to expand the elephant exhibit in the near future. He stated that until the expansions are complete it would not be advisable to bring in additional elephants.

Representative Power appreciated Representative Cobos concerns regarding expanding the elephant exhibits. He stated he thinks the answer would be to expand the zoo, take in the new elephant and for Council Members to actively look for funding to give to the zoo to expand the current facility.

Mr. Hector Montes, Public Affairs Coordinator for the zoo, stated he believed the wrong comparisons were being made. He stated he thought that the El Paso zoo should be compared with other zoos and that the sanctuary in Tennessee should be compared with the wild. He stated that the issue was not what was best for Savannah but the issue was what was best for the community, what was best for the zoo and the children. He stated that having a quality zoo was good for the children. He noted that Dr. Torgerson was taking a new approach toward the African section of the zoo to include having fewer animals with better conditions.

Motion made by Representative Power, seconded by Representative Escobar and carried to approve the above Resolution.

Representatives Sumrall and Sariñana were not present for the vote.
Representatives Rodriguez, Cook, Power and Escobar voted Aye.
Representatives Medina and Cobos voted Nay.

The Motion passed 4-2.

.....

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an agreement between the El Paso Museum of History and the Society for Creative Anachronism to hold a fighting and medieval craft skills demonstration on Saturday, April 20th, from 1:00 - 4:00 P.M. This demonstration is at no cost to the city and is free to the public.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**GALATZAN RECREATION CENTER
DEPARTMENT ID 51510131, ACCOUNT 502214**

1. CONTRACTOR: Carolyn Jo Tromer, Regional Summer Camp Supervisor
DATES: May 1, 2002, thru August 31, 2002
RATES PER HR: \$13.00
CONTRACT NO: 2001/2002-154a

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**NORTHEAST RECREATION CENTER
DEPARTMENT ID 51510107, ACCOUNT 502215**

1. CONTRACTOR: Delila R. Sattizahn, Regional Summer Camp Supervisor
DATES: May 1, 2002, thru August 31, 2002
RATES PER HR: \$13.00
CONTRACT NO: 2001/2002-229

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**AQUATICS
DEPARTMENT ID: 51010281, ACCOUNT 501011**

1. CONTRACTOR: Yvianna Candia, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR: \$5.35
CONTRACT NO: 2001/2002-223
2. CONTRACTOR: Adrian Diaz, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR: \$5.35
CONTRACT NO: 2001/2002-224
3. CONTRACTOR: Arturo E. Garibay, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR: \$5.35
CONTRACT NO: 2001/2002-225
4. CONTRACTOR: Adriana Miranda, Pool Attendant I, Step 1
DATES: May 26, 2002, thru September 30, 2002
RATES PER HR: \$5.40
CONTRACT NO: 2001/2002-226
5. CONTRACTOR: Jennifer R. Morales, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR: \$5.35
CONTRACT NO: 2001/2002-227
6. CONTRACTOR: Ruby Ramos, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR: \$5.35
CONTRACT NO: 2001/2002-228

.....
*Motion made, seconded and unanimously carried to approve the authorization of District 5 discretionary funds in the amount of \$1,000 for use by Library for "Dia De Los Ninos- Dia de Los Libros" annual event being held April 27, 2002 requested by Representative Power.
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*Motion made, seconded and unanimously carried to re-appoint Alvin L. Harris, Sr. to the Civil Service Commission by Representative Sariñana.
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*Motion made, seconded and unanimously carried to re-appoint Ken Sutherland to the Civil Service Commission by Representative Power.
.....

*Motion made, seconded and unanimously carried to appoint M. E. "Kenna" Ramirez to the El Paso Public Arts Commission by Representative Medina.
.....

Motion made, seconded and unanimously carried to move to the Regular Agenda RFP No. 2002-018R Fingerprint & Photographic Identification

Representative Cobos reiterated that the City was not spending COs efficiently. He commented on the City paying the County a set fee to process prisoners and purchasing this system would expedite processing the prisoners; however, the City would get a reduction in the processing fees.

Representative Power stated that the reduction in fee was up for negotiation.

Representative Escobar stated that Mayor Caballero had appointed him to represent the City in working with the County and the Council of Judges to try to get a City/County joint venture, unfortunately this was not possible. He thanked Mr. Jim Pulliam, Information Technology Director, for moving forward with this, Chief Leon, Mr. Byron Johnson all did a great job. He noted that this would expedite processing prisoners and also prevent someone from escaping, and checking individuals for outstanding warrants.

Chief Carlos Leon, Police Chief, stated that the City pays the County approximately \$2.1 million in processing fees and that this system would allow officers who have taken an individual into custody to go to any of the five regional command centers, including Police Headquarters, and process the individuals there. He explained that fingerprints would be rolled, the individual would be photographed and the County would simultaneously acquire this information, thus avoiding the fee the City pays the County. He also explained that LifeScan would assist the judges as well, due to misidentification of the individual, etc.

Motion made by Representative Escobar, seconded by Representative Power and unanimously carried to award RFP No. 2002-018R Fingerprint & Photographic Identification

| | | |
|------------------|-----------------------------|----------------|
| Software System | | |
| Award to: | Printrak A Motorola Co. | |
| | Anaheim, CA | |
| Item (s): | All | |
| Amount: | \$1,481,785.00 | |
| | | |
| Department: | Police | |
| Funds available: | 1999 CO's | \$1,060,000.00 |
| | 2002 102 General City Funds | \$ 421,785.00 |
| Funding source: | 04102009-P540009 and | |
| | 04102010-P540010 | |
| Total award: | \$1,481,785.00 | |

The Review Committee based on evaluation factors established for this RFP recommend award to Printrak, A Motorola Company. See attached memorandum for explanation.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to executive any related contract documents and agreements necessary during the contract. It is further requested that the Mayor and CAO be authorized to execute budget transfers for these projects.

This is a one-time purchase.

Representative Sumrall and Representative Sariñana were not present for the vote.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002-100 Security Guard Services

Representative Medina questioned whether security guards were receiving health insurance coverage and commented that security guards were the lowest paid and are not provided with medical insurance.

Mr. Byron Johnson, Director of Purchasing, noted that this bid follows the Mayor's program, Best Value Procurement, and noted that in the backup material insurance for the individuals would be provided to include medical, prescription, dental, vision, life, funeral, sick leave and insurance to spouses and families would be available, if needed. He added that uniforms would be provided to employees at no cost. He explained that although the company's headquarters were located in Dallas, Texas, they have a local office here in El Paso. Mr. Johnson noted that all security bids fall under the Best Value Procurement and the

Purchasing Department does consider health benefits. He explained the exception would be if an extension on an existing contract was awarded, the City could not add insurance to the contract.

Motion made by Representative Medina, seconded by Representative Escobar and unanimously carried to award Bid No. 2002-100 Security Guard Services

Award to: Vendor (1) Initial Security
Dallas TX

Item (s): #1
Amount: \$29,421.60

Vendor (2): US Security Associates Inc
El Paso TX

Item(s) #2
Amount: \$68,268.20

Department: El Paso City-County Health & Environmental District
Funds available: 41010157 & 41010142-0110
Funding source: General Funds - Health Administration & Neighbor Centers
Total award: \$97,689.80

City-County Health and Purchasing recommend awards as indicated as these vendors has provided the Best Value Bid.

This is a thirty-six [36] month contract with no renewable options.

Representatives Sumrall and Sariñana were not present for the vote.

.....
*Motion made, seconded and unanimously carried to approve the request of Jawad Mahmoud to hold a protest on April 19, 2002 from 3:00 p.m. to 5:00 p.m. Route: Sidewalk at San Jacinto Plaza. Approximately 100 persons will participate. This request includes permission to use amplification (1 microphone). PERMIT NO. 02-042

.....
Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

- A. City of El Paso, Texas vs. Selma Malooly, et al., Cause No. 02-171, Our File No. 01-P-03
- B. City of El Paso vs. William Abraham, Cause No. 96-2578, Our File No. 96-P-03
- C. An Ordinance granting to Paul Berube a Non-exclusive Franchise for litter receptacles on sidewalks and other city property.

Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZE TO FILE NON-SUIT** in the lawsuit entitled **City of El Paso, Texas vs. Selma Malooly, et al., Cause No. 02-171, Our File No. 01-P-03**; as recommended by the City Attorney and that the Mayor be authorized to sign all settlement documents.

Representative Rodriguez voted Nay.

Representative Medina, Representative Cook and Representative Cobos voted Aye.

Representatives Sumrall, Power, Escobar and Sariñana were not present for the vote.

The Motion passed 3-1.

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No action was taken on item City of El Paso vs. William Abraham, Cause No. 96-2578, Our File No. 96-P-03
.....

Motion made by Representative Medina, seconded by Representative Cook and carried to approve an Ordinance granting to Paul Berube a non-exclusive franchise for litter receptacles.

Representatives Sumrall, Power, Escobar and Sariñana were not present for the vote.

Please see Page 25 for additional comments.

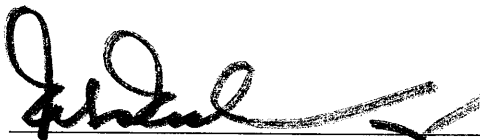
.....
Motion made by Representative Rodriguez, seconded by Representative Cobos and unanimously carried to adjourn this meeting at 2:35 p.m.
.....

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:



Carole Hunter, City Clerk



Rita Rodriguez, City Attorney

